

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

**FEBRUARY 5, 1999**

(Published February 13, 1999,  
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

February 5, 1999 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Minn, McDonald, President Cherryhomes.

Campbell moved acceptance of the minutes of the adjourned session held January 15 and the regular meeting of January 22, 1999. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

### **PETITIONS AND COMMUNICATIONS**

#### **COMMUNITY DEVELOPMENT (See Rep):**

COUNCIL MEMBER CHERRYHOMES  
(264502)

Mpls Arts Commission: Appointments/reappointments of Debra Stone, Patricia Welch, Elizabeth Peck.

MAYOR (264503)

Mpls Arts Commission: Appointments/reappointments of Dana Flor Elsen, Teri Deaver, Christopher Fishbach, Susan Federbusch, James Billings, Louise Olsen.

#### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264504)

East Village Housing Development Project & Tax Increment Plan: Comments of W&M/Budget Committee & Planning Commission.

#### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264505)

Urban Village Project: Urban Village Redevelopment Plan, w/Attachments.

South East Mpls Industrial (SEMI) Area: Allocation of funds for acquisition of Winko property at 670-25th Ave SE, appropriation of funds, waiver of special assessments for Winko property, authorization to initiate Joint Powers discussions w/St. Paul re road construction.

COORDINATOR (264506)

City of Mpls Empowerment Zone Designation: Recommendations for Implementation Plan/Process.

COORDINATOR (264507)

Near Northside Redevelopment Project: Authorization to submit application to HUD for Section 108 Loan Guarantee Funds.

#### **COMMUNITY DEVELOPMENT and ZONING AND PLANNING (See Rep):**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264508)

Commercial Corridors: Revised recommendations for commercial corridor revitalization selection.

#### **HEALTH AND HUMAN SERVICES :**

HEALTH AND FAMILY SUPPORT  
SERVICES (264509)

1999 Work Plan for Department of Health & Family Support; and Minnesota Public Health Improvement Goals, 2004.

**HEALTH AND HUMAN SERVICES (See Rep):**  
COORDINATOR (264510)

Director of Health and Family Support: Concur with Mayor's nomination and Executive Committee approval to appoint David Doth to position, for term to expire January 3, 2000.

**HEALTH AND FAMILY SUPPORT SERVICES (264511)**

Public Health Advisory Committee: Approve appointments for two-year terms expiring 12/31/2000 - Jodell O'Connell, representing Hennepin County Community Health Department; Oren Larson, at large member; Kay Jones, representing 3rd District Nurses.

1999 Summer Youth Employment and Training Program: Issue Fund Availability Notices to Minnesota Department of Economic Security to plan youth recruitment and launch private sector jobs campaign; and Issue Fund Availability Notices to Loring Nicollet-Bethlehem Community Centers to provide planning, training and implementation of educational component of program.

Senior Citizen Advisory Board: Reconstruct Board as Senior Citizen Advisory Committee to consist of 23 members to reflect membership from each City ward as well as agencies serving seniors to work compatibly with Senior Coordinating Board.

**LICENSES AND CONSUMER SERVICES (264512)**

Lead Based Paint Hazard Reduction Project: Execute addendum to agreement with Minnesota Remodeling and Restoration Company allowing City to reimburse neighborhood small business contractors for cost of lead liability insurance.

**HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):**

**HEALTH AND FAMILY SUPPORT SERVICES (264513)**

Curfew Truancy Center: Accept grant of \$30,000 from Minnesota Department of Economic Security; Issue Fund Availability Notices to Minneapolis Urban League to operate Center; and Appropriate grant funds.

**INTERGOVERNMENTAL RELATIONS:**

**LIAISON / FEDERAL, LOCAL AND STATE (264514)**

HF 266 Regulating hours of sale of alcoholic beverages.

**GREATER MPLS CHAMBER OF COMMERCE (264515)**

1999 Public Policy Positions.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

**ATTORNEY (264516)**

Solar Corporation, dba Gopher Campus Motor Lodge (925 SE 4th St): Call-In Hearing relating to proposed revocation of Motel License.

**LICENSES AND CONSUMER SERVICES (264517)**

Special Late Hours Entertainment License: Ordinance amending Title 14, Chapter 360 relating to Liquor and Beer: In General, adding conditions to special late hours entertainment license holders which will allow the granting of a license to the Zurah Shrine Temple, 2540 Park Av S, to rent facility to groups for dancing until 2:00 a.m.

Licenses: Applications.

**POLICE DEPARTMENT (264518)**

Special Investigations Division Office Space: Renew lease for covert office space with specialized facilities through 12/99.

**CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (264519)**

Reappointments: Approve reappointments for two-year terms - David Byfield, Walker Smith, Thomas Dicks, Lonnie Nichols, Randy Kouri, Lorrie Stromme.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):**

**FIRE DEPARTMENT (264520)**

1999 Firefighter Cadet Training: Amend contract with Hennepin Technical College to include two training classes of approximately 30 cadets each; and Waive Request for Proposals process.

Bell Curve Hiring System: Authorize increase Full-Time Equivalents by two for Battalion Chiefs, from 14 to 16, and Suppression Deputy Chief, from 3 to 4; and authorize Fire Chief to promote two additional Battalion Chiefs and one additional Deputy Chief.

**POLICE DEPARTMENT (264521)**

Drug Abuse Resistance Education (DARE): Request to amend contract with Special School District #1 to provide DARE to 5th grade classrooms for period 7/1/98 through 6/30/99.

COPS Methamphetamine Initiative: Execute contracts with partner agencies to develop and implement new strategies to deal with

methamphetamine threat in region - Hennepin County Attorney's Office, Hennepin County Sheriff's Office, Ramsey County Sheriff, City of St Paul Police Department, Minnesota State Patrol, and Minnesota Pollution Control Agency.

**TRANSPORTATION AND PUBLIC WORKS:**

**PUBLIC WORKS AND ENGINEERING (264522)**

Tax Forfeited Land: List of properties with no request for acquisition.

**TRANSPORTATION AND PUBLIC WORKS**

**(See Rep):**

**MAYOR (264523)**

Metropolitan Airports Commission Low Frequency Noise Policy Advisory Committee: Recommend appointment of City representative.

**PUBLIC WORKS AND ENGINEERING (264524)**

Parade Ordinances: Amendments affecting application process and bonding and insurance requirements.

1st St S Bridge Reconstruction Project: Authorize three temporary construction and access easements.

Parking Card Testing: Non-disclosure agreement with Norwest Banks for test of Smart Card Technology at Gateway Municipal Ramp.

Light Rail Transit: Advisory groups recommended for downtown participation process; Schedule of Hiawatha Corridor events.

**SOLIDWASTE AND RECYCLING DIVISION (264525)**

Transfer Station Operation: Results of RFP for operation of north and south transfer stations.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

**FINANCE DEPARTMENT (264526)**

Regional Radio System: Information on finance plan, number of radios & involvement history.

**PUBLIC WORKS AND ENGINEERING (264527)**

Traffic Signals on Excelsior Boulevard: Approve funding for new signals relating to Calhoun Commons Project.

Traffic Signal Modification on 6th St: Approve funding for signal modifications on 6th St between Hennepin & Nicollet Av relating to Sixth & Nicollet L.L.C. Project.

Audit of Municipal Parking System: Issue request for proposals to perform audit.

Curry Maintenance Facility Testing: Award bid and contract for testing & inspection services to GME Consultants.

**PURCHASING (264528)**

Bids: OP #5042, low bid of Layne Minnesota Company for lined drill-shaft holes for the Sewer Construction Division; OP #5047, all bids for rubber tired steer loaders with operators and supplies for Equipment Division.

**WATER DEPARTMENT (264529)**

Pump Station No. 9: Increase contract with CDM for additional design and construction inspection services.

Water Works Treatment Process Feasibility Study: Agreement with Lewis & Zimmerman Associates for value engineering/peer review services for project.

**WAYS AND MEANS BUDGET:**

**ATTORNEY (264530)**

Settlement: Information and judgment for the City relating to Gretchen Goss case.

**INFORMATION & TECHNOLOGY SERVICES (264531)**

Quarterly Status of Master Contracts: Receive & File Report.

**PUBLIC WORKS AND ENGINEERING (264532)**

1999 Building & Facilities Capital Improvement Program: Receive & File Work Plan.

**WAYS AND MEANS BUDGET (See Rep):**

**ATTORNEY (264533)**

Settlements: Authorize payment to Alan Keacher & his attorney; and Susan Torosian & her attorney.

**CITY CLERK (264534)**

Director of Elections: Approve starting salary at 3rd step, effective March 1, 1999.

**COORDINATOR (264535)**

Minneapolis South YWCA Project: Budget Adjustments for Youth Coordinating Board to provide committed funds for project.

**COUNCIL MEMBER CAMPBELL (264536)**

Legal Fees: Reimbursement to Council Member Minn for City business.

**HUMAN RESOURCES (264537)**

Personnel Services: Contract with Minneapolis Public Schools, Special School District #1.

**PURCHASING (264538)**

Bid: OP #5038, Accept low bid of NCR Corporation.

**ZONING AND PLANNING:**

PLANNING COMMISSION/DEPARTMENT (264539)

Marchant Investment & Management Co Inc, 1428 Marshall St NE: Planning Dept: Appeal from Planning Commission decision to deny conditional use permit for a cartage & express company; Planning Commission minutes; Appellant's statement; Staff findings & recommendation to deny; Correspondence from Council Member Biernat, Marchant, DHL Worldwide Express, Sheridan Today & Yesterday; maps, drawings, photos. Marchant Investment & Management: Letter to Planning Dept, dated 7/24/98, re neighborhood feedback, land use, site issues; Booklet re DHL Warehouse Project w/maps, drawings, photos.

**ZONING AND PLANNING (See Rep):**

COUNCIL MEMBER CAMPBELL (264540)  
Academy for Physical & Psychological Advancement & West Bank Karate School, 2209-2215 E Franklin: Authorize City consent to Petition for Amendment to Zoning Code; Letter from Seward Redesign.

INSPECTIONS/BOARD OF ADJUSTMENT (264541)

Patrick Hagner, 4933 32nd Av S: Grant appeal from decision of Board of Adjustment denying variance for increased garage height; Board of Adjustment minutes; Background information on related applications for variances; Appellant's statement; Letters from Nokomis East Neighborhood Association, Council Member Colvin Roy; drawings, photos.

PLANNING COMMISSION/DEPARTMENT (264542)

American Express Client Service Center Project, block bounded by 9th & 10th Sts S & 3rd & 4th Aves S, Environmental Review Process: Recommend negative declaration, that Environmental Impact Statement is not needed, & adopt Findings of Fact & Record of Decision, with exhibits.

Nathan Barker, 3107 Lyndale Av N: Approve waiver from moratorium on automobile related uses (98-Or-083), with conditions.

PLANNING COMMISSION/DEPARTMENT (264543)

Marchant Investment & Management Co, Inc, 1428 Marshall St NE: Deny waiver from moratorium on uses on upper riverfront.

**PLANNING COMMISSION:**

EDUCATION ENVIRONMENTS (264544)  
Permission to vacate water main easement at corner of 2-1/2 St S & 19th Av S.

HILLCREST DEVELOPMENT (264545)  
Permission to vacate: Cleveland St NE between Summer & Kennedy Sts NE; Summer St NE between Arthur & Cleveland Sts NE; existing grass boulevard along Arthur St NE.

**FILED:**

CITY CLERK/SPECIAL PERMITS (264546)  
1st St N, 105 (Curtis Olson) tent covering sidewalk & first lane of traffic; 43rd Av S, 3733 (Debra Justesen) hay/sleigh ride of city streets; Knox Av S, 5025 (Christine Johansen) wheeled sleigh.

FINANCE DEPARTMENT (264547)  
Investment Management System & Reconciliation Report thru December 31, 1998.

FINANCE DEPARTMENT (264548)  
Schedule of Self-supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 12/31/98.

NORTHERN STATES POWER (NSP) (264549)

Utilities: Authorize place poles at various locations.

**REPORTS OF  
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

**Comm Dev & W&M/Budget** – Your Committee recommends that the proper City Officers be authorized to submit an application on behalf of the Near Northside Redevelopment Project for Section 108 Loan Guarantee Funds in the amount of \$3,900,000 to the U.S. Department of Housing & Urban Development, to enable the project to commence by providing funds necessary to begin park, water, street and infrastructure design work.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** Committee submitted the following report:

**Comm Dev** – Your Committee, having under consideration appointments/reappointments to the Minneapolis Arts Commission, now recommends approval of the following Council appointments and concurrence with the following Mayoral appointments:

**Council Appointments:**

a) Debra Stone, 1237 Penn Ave N, Minneapolis 55411 (Ward 5) (lay reappointment, for a term which expires 1/31/01);

b) Patricia Welch, 2122 Russell Ave N, Minneapolis 55411 (Ward 5) (administrative reappointment, for a term which expires 1/31/01);

c) Elizabeth Peck, 115 N 1st St, Minneapolis, 55401 (Ward 3) (administrative appointment, for a term which expires 1/31/01);

**Mayoral Appointments:**

d) Dana Flor Elsen, 1314 Newton Ave N, Minneapolis 55411 (Ward 5) (lay reappointment, for a term which expires 1/31/01);

e) Teri Deaver, 4418 W Lake Harriet Pkwy, #305, Minneapolis 55410 (Ward 13) (administrative reappointment, for a term which expires 1/31/01);

f) Christopher Fishbach, 1925 Colfax Ave S, Minneapolis 55403 (Ward 7) (administrative appointment, for a term which expires 1/31/00);

g) Susan Federbusch, 110 Bank St SE, Minneapolis 55414 (Ward 5) (lay appointment, for a term which expires 1/31/00);

h) James Billings, 817 Columbia Pkwy NE, Minneapolis 55418 (Ward 3) (lay appointment, for a term which expires 1/31/01);

i) Louise Olsen, 2254 Pierce St NE, Minneapolis 55418 (Ward 1) (artist appointment, for a term which expires 1/31/01).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**Comm Dev & W&M/Budget** – Your Committee, having under consideration implementation of the Urban Village Project, a proposed development of an area that will shape an urban environment that integrates housing, commercial and multiple transportation modes in

the area generally bounded by Lyndale Ave S on the east, Girard Ave S on the west, W 28th St on the north and the railroad corridor right-of-way south of 29th St on the south, now recommends passage of the accompanying resolution approving the Urban Village Redevelopment Plan dated November 25, 1998, as set forth in Petn No 264505.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-021**

**By Niland,**

**Campbell, McDonald**

**Adopting the Urban Village Redevelopment Plan.**

Resolved by The City Council of The City of Minneapolis:

**Section 1. Recitals.**

1.01. That the Minneapolis Community Development Agency (the "Agency") has the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended (collectively, the "Laws").

1.02. It has been proposed that the Agency prepare the Urban Village Redevelopment Plan (the "Plan"), which Plan designates the boundary of the Project Area, describes project activities and costs, and identifies property that may be acquired all pursuant to and in accordance with the Laws.

1.03. The Agency has caused to be prepared, and this Council has investigated the facts with respect to a proposed Plan, describing more precisely the Project Area boundary, activities to be undertaken, project costs, designation of property that may be acquired, and the identification of a budget for expenditures within the Project Area, all pursuant to the Laws.

1.04. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the Planning Commission, for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.05. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plan to reflect the creation of the Project Area, designation of property that may be acquired, project activities and costs in the Project Area.

**Section 2. Findings for the Adoption of the Plan.**

2.01. The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the Project Area by private enterprise as the proposed development or redevelopment eliminates the blighting influences defined in Section 2.04; that formation of the Plan has emerged from a community-based, participatory process (West Lake Street Urban Village Charrette Report) that has included elected officials, municipal and county government, regional transit, neighborhood organizations and coalitions, design professionals, and numerous residents, including a diversity of committed resources throughout the planning, design, implementation and construction process, involving a public and private partnership between the City of Minneapolis, Hennepin County (Hennepin Community Works "Building the Connections" 1995 Project Selection Report), the MCDA, and the Midtown Community Works Partnership, that will intensify land use and provide a mix of housing types for a growing community with various income levels, and will integrate housing, commercial and multiple transportation modes adjacent to Midtown Greenway.

2.02. The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission and the Ways & Means/Budget Committee of the City Council with respect to the Plan were issued, are incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.03. The Council further finds, determines and declares that the land in the Project Area

would not be made available for redevelopment without the financial aid to be sought. Evidence of land assembly costs to support this finding is contained in the files of the MCDA and estimated public redevelopment costs can be found in Exhibit 5 of the Plan.

2.04. The Council further finds, determines and declares that the Project Area is a blighted area, consisting of blighted, underutilized and/or inappropriately used light industrial and other properties suffering from physical and functional obsolescence, incompatible use or land use relationships, hazards to health or safety, and non-compliance with Americans with Disabilities Act provisions; reconnaissance of the properties located in the Project Area were evaluated by MCDA staff beginning April through October 1998, and several blighting conditions throughout the Project Area were noted, separate building evaluations based on interior and exterior evaluations using public records were quantified on an informational basis, concluding that the area consists of blighted, deteriorating substandard buildings requiring substantial renovation or clearance, exhibiting deficiencies in other categories such as utilities, facilities, light, ventilation, fire protection, egress, interior partitions and unknown factors such as asbestos abatement, pollution, lead based paint and the need for energy conservation; and that the reasons and supporting facts for these determinations are retained and available from the Agency; and further, that the objectives and actions authorized by the Plan are consistent with the undertaking of a redevelopment project, pursuant to the Laws.

2.05. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

**Section 3. Approval of the Plan.**

3.01. Based upon the findings set forth in Section 2 hereof, the Plan presented to the Council on this date, is hereby approved and shall be placed on file in the office of the City Clerk.

**Section 4. Implementation of the Plan.**

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes,  
President of Council.

Approved February 11, 1999. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the recommendation of the South East Minneapolis Industrial (SEMI) area Master Plan for redevelopment of the interior of SEMI for light industrial re-use and for construction of public utilities and amenities to serve the area, now recommends –

a) Approval to allocate \$146,000 from the MILES set-aside for the acquisition and property management of the former Winko Warehouse site at 670–25th Ave SE to provide for stormwater management, improving access to a proposed new development and by making other remote and undeveloped sites in the SEMI more accessible;

b) Passage of the accompanying resolution increasing the appropriation in Fund SDA0 (Development Account) by \$146,000;

c) That the \$345,972.43 in special assessments charged to the tax forfeit Winko property be waived; and

d) That the proper City officers be authorized to initiate Joint Powers discussions with St. Paul officials for construction of a road in both cities.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-022**  
**By Niland and Campbell**

**Amending The 1999 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SDA0 – Development Account by \$146,000 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes,  
President of Council.

Approved February 11, 1999. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the Implementation Plan/Process for the City of Minneapolis Empowerment Zone (EZ) Designation, recommends –

a) Designation of the City Coordinator's Office as the lead entity for the implementation of the EZ initiative;

b) Approval of the reconfiguration of the EZ Partnership as the Empowerment Zone Governance Board to assist the City Council and Mayor in implementing the Strategic Plan set forth in Petn No 264506; and the Staff Steering Committee as the Staff Implementation Committee to advise the EZ Governance Board, Foundation Consortium and Council on technical aspects of implementing the Plan;

c) That staff be directed to begin the process of hiring a full-time administrator and administrative assistant (to be paid out of EZ administrative funds) to assist with implementation of the grant initiative;

d) That staff be directed to refine the EZ Strategic Plan to include more specific recommendations for implementation;

e) That staff be directed to negotiate the terms of the EZ Grant Agreement with the Department of Housing and Urban Development (HUD); to seek clarification of several technical issues; send representatives to an EZ implementation conference in March; and to report back to the Council on an as-needed basis the results of these efforts;

f) That staff be directed to prepare a proposal for State assistance in the current State Legislative session for certain EZ initiatives (request approximately \$5 million in State matching funds for EZ funding). State funds could be used for pollution remediation, creation of affordable housing, and other initiatives cited in application. State assistance could be structured similar to a set aside grant received by Phillips Eco-Center in the last legislative session;

g) Approval of the proposed Work Plan and Schedule for implementation of the EZ Strategic Plan, as set forth in Petn No 264506;

h) That staff be directed to prepare a revised first year budget (\$3 million award vs. \$20 million

assumed award over 2 years in application) for review by the EZ Governance Board. Staff would use the application budget approved by HUD as a blueprint for the revised budget. The Governance Board would review the staff recommendations and make final recommendations to the City Council and Mayor for final approval.

Campbell moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the Implementation Plan/Process for the City of Minneapolis Empowerment Zone (EZ) Designation, recommends –

a) Designation of the City Coordinator's Office as the lead entity for the implementation of the EZ initiative;

b) Approval of the reconfiguration of the EZ Partnership as the Empowerment Zone Governance Board to assist the City Council and Mayor in implementing the Strategic Plan set forth in Petn No 264506; and the Staff Steering Committee as the Staff Implementation Committee to advise the EZ Governance Board, Foundation Consortium and Council on technical aspects of implementing the Plan;

c) That staff be directed to begin the process of hiring a full-time administrator and administrative assistant (to be paid out of EZ administrative funds) to assist with implementation of the grant initiative. The Chairs of the EZ Governance Board will participate in the selection process.

d) That staff be directed to refine the EZ Strategic Plan to include more specific recommendations for implementation to bring this Plan to the EZ Governance Board for recommendation to the Council and Mayor.

e) That staff be directed to negotiate the terms of the EZ Grant Agreement with the Department of Housing and Urban Development (HUD); to seek clarification of several technical issues; send representatives to an EZ implementation conference in March; and to report back to the Council, at least quarterly, the results of these efforts;

f) That staff be directed to prepare a proposal for State assistance in the current State Legislative session for certain EZ initiatives (request approximately \$5 million in State matching funds for EZ funding). State funds could be used for pollution remediation, creation of affordable housing, and other initiatives cited in application.

State assistance could be structured similar to a set aside grant received by Phillips Eco-Center in the last legislative session;

g) Approval of the proposed Work Plan and Schedule for implementation of the EZ Strategic Plan, as set forth in Petn No 264506;

h) That staff be directed to prepare a revised first year budget (\$3 million award vs. \$20 million assumed award over 2 years in application) for review by the EZ Governance Board. Staff would use the application budget approved by HUD as a blueprint for the revised budget. The Governance Board would review the staff recommendations and make final recommendations to the City Council and Mayor for final approval.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **ZONING & PLANNING** Committees submitted the following report:

**Comm Dev & Z&P** – Your Committee, having under consideration the development of a revitalization program for commercial corridors, as expressed in the 1999 City Goals, the Shared Agenda/Action Plan and Priorities '99, and the recommendations of the Planning Department's interdepartmental Commercial Corridor Revitalization Work Team (Petn No 264508), now recommends approval of the following revised recommendations:

a) That the Mayor and Council recognize the Commercial Corridor Revitalization Work Team's activities and report;

b) That the Mayor and Council recognize that the Planning Department and the Minneapolis Community Development Agency (MCDA) have work on Central Ave, Lake St, Franklin Ave and W Broadway Ave in their work plans and budgets for 1999, and that the Mayor and Council select Central Ave from 18th Ave NE to 27th Ave NE; Lake St from Nicollet Ave S to Minnehaha Ave; Franklin Ave; and W Broadway for application of a revitalization program for 1999; and

c) That the Mayor and Council adopt the proposed three step implementation procedure for the commercial corridor revitalization program and direct the work team to proceed.

Adopted. Yeas, 13; Nays none.



Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

**H&HS** – Your Committee recommends concurrence in the nomination of the Mayor and approval by the Executive Committee of the appointment of David Doth to the position of Director of Health and Family Support, for a term to expire January 3, 2000.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** – Your Committee recommends approval of the following City Council appointments to serve on the Public Health Advisory Committee for two-year terms expiring December 31, 2000:

a. Jodell O'Connell, Health Educator representing Hennepin County Community Health Department;

b. Oren Larson, Manager of Environmental Health, City of Minneapolis, as a member at large;

c. Kay Jones, representing the 3rd District Nurses.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** – Your Committee, having under consideration the 1999 Summer Youth Employment and Training Program, now recommends that the proper City Officers be authorized to issue Fund Availability Notices (FANs), under Master Contract #10014, to the Minnesota Department of Economic Security, Minneapolis Workforce Center, to coordinate intake and placement for approximately 1300 youth for the Summer Program, as follows:

a. FAN #A4-2, in the amount of \$31,250, for the period February 1, 1999 through September 30, 1999, payable from Neighborhood Services (030-860-8600);

b. FAN #B0-1, in the amount of \$31,250, for the period February 1, 1999 through September

30, 1999, payable from Neighborhood Services (040-860-8600);

c. FAN #B8-1, in the amount of \$31,250, for the period April 1, 1999 through September 30, 1999, payable from Neighborhood Services (030-860-8600);

d. FAN #B9-1, in the amount of \$31,250, for the period July 1, 1999 through September 30, 1999, payable from Neighborhood Services (060-860-8600).

(Petr No 264511)

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** – Your Committee, having under consideration the 1999 Summer Youth Employment and Training Program, now recommends that the proper City Officers be authorized to issue Fund Availability Notices (FANs), under Master Contract #10008, to the Loring Nicollet-Bethlehem Community Centers, Inc, to deliver educational services for the Summer Program, as follows:

a. FAN #A4-2, in the amount of \$27,500, for the period February 1, 1999 through September 30, 1999, payable from Neighborhood Services (030-860-8600);

b. FAN #B8-1, in the amount of \$27,500, for the period April 1, 1999 through September 30, 1999, payable from Neighborhood Services (030-860-8600);

c. FAN #B9-1, in the amount of \$27,500, for the period July 1, 1999 through September 30, 1999, payable from Neighborhood Services (060-860-8600);

d. FAN #B0-2, in the amount of \$27,500, for the period February 1, 1999 through September 30, 1999, payable from Neighborhood Services (040-860-8600).

(Petr No 264511)

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** – Your Committee, having under consideration the Lead Based Paint Hazard Reduction Project funded by the United States Department of Housing and Urban Development, now recommends that the proper City Officers be

authorized to execute an amendment to Agreement #C98-12663 allowing Minnesota Remodeling and Restoration Company to invoice the City for the costs of lead hazard insurance incurred by subcontractors engaged in lead reduction activities that are certified under the City's Small Business Enterprise Program. Further, that expenditures shall not exceed \$20,000, payable from Licenses & Consumer Services (030-835-8393).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** – Your Committee, having under consideration the establishment of a Senior Coordinating Board, and a recommendation from the task force that the Senior Advisory Board be reconstructed to reflect membership from each City ward, as well as agencies serving seniors, as well as be in a better position to work compatibly with the Senior Coordinating Board, now recommends passage of the accompanying Resolutions:

a. rescinding Resolution 81R-577, "recreating the Senior Citizens Advisory Board to the Mayor and the City Council of Minneapolis", passed December 28, 1981;

b. rescinding Resolution 87R-392, "amending Resolution 81R-577, 'Recreating the Senior Citizens Advisory Board to the Mayor and City Council of Minneapolis', passed December 28, 1981", passed September 11, 1987; and

c. reconstructing the Senior Citizen Advisory Board.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 99R-023**

**By Herron**

**Rescinding Resolution No. 81R-577 entitled, "Recreating the Senior Citizen Advisory Board to the Mayor and the City Council of Minneapolis", passed December 28, 1981.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be and is hereby rescinded.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished February 27, 1999)

#### **RESOLUTION 99R-024**

**By Herron**

**Rescinding Resolution No. 87R-392 entitled, "Amending Resolution No. 81R-577, 'Recreating the Senior Citizen Advisory Board to the Mayor and the City Council of Minneapolis", passed September 11, 1987**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be and is hereby rescinded.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished February 27, 1999)

#### **RESOLUTION 99R-025**

**By Herron**

**Reconstructing the Senior Citizen Advisory Board.**

Whereas, senior citizens make up 16 percent of the population of the City of Minneapolis; and

Whereas, senior citizens have unique problems which often require the attention of City government; and

Whereas, in the past the City of Minneapolis has benefited from the work of the existing Senior Citizen Advisory Committee and desires to better define the structure of the Advisory Committee and its relationship to the proposed Senior Coordinating Board;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Senior Citizen Advisory Board to the Mayor and the City Council is reconstructed as the Senior Citizen Advisory Committee, and will consist of 23 members. Thirteen will be qualified seniors, one from each City ward, and ten shall be

qualified organization representatives. A qualified senior is a City resident, 55 years of age or older. A qualified organization representative is an individual from an organization that funds or provides key services to seniors. Members shall serve for two-year terms. Terms shall be deemed to run from the first Monday of January in the year of appointment, and shall end when a successor has been duly appointed and has accepted the position.

Be It Further Resolved that beginning in 1999, seven qualified senior members shall be appointed for terms of three years, and the remaining six qualified senior members shall be appointed for two years. Five qualified organization representative members shall be appointed for terms of three years and five qualified organization representative members shall be appointed for two years. Thereafter, members shall be appointed for two-year terms. Members may not serve more than three consecutive terms. Service prior to this reconstruction shall not count as one of the consecutive terms.

Be It Further Resolved that members shall be selected by the open appointments process. The Mayor and City Council President shall recommend applicants to the City Council for approval.

Be It Further Resolved that the terms of the current members of the existing Advisory Board shall end upon the election of members of the reconstructed Advisory Committee.

Be It Further Resolved that the Senior Ombudsman shall serve as secretary of the Committee.

Be It Further Resolved that the reconstructed Advisory Committee shall:

- a. inform itself about community issues that affect senior citizens;
- b. act in the interests of senior citizens generally and avoid acting in the interests of particular groups or individuals;
- c. identify and explore common issues with suburban service providers and elected officials;
- d. network with and educate elected officials on the importance of selected policy issues relating to senior citizens using national, state and local research to build a vision of the future for seniors;
- e. recommend policy issues to the Senior Coordinating Board to address;
- f. serve as a resource to the Senior Coordinating Board and its staff, and in turn use the Senior Coordinating Board and its staff as a resource for the work of the Senior Citizen Advisory Committee.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished February 27, 1999)

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**H&HS & W&M/Budget** – Your Committee, having under consideration the Curfew Truancy Center, now recommends that the proper City Officers be authorized to accept a grant award of \$30,000 from the Minnesota Department of Economic Security, and issue a Fund Availability Notice, under Master Contract #10001, to the Minneapolis Urban League, in the amount of \$28,500 to operate the Center for the period January 1 through December 31, 1999, payable from Neighborhood Services (030-860-8605).

Your Committee further recommends passage of the accompanying Resolution appropriating \$30,000 to the Neighborhood Services Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 99R-026**

**By Herron and Campbell**

#### **Amending The 1999 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Federal Fund (030-860-8605) by \$30,000, and increasing the Revenue (030-860-8605 – Source 3210) by \$30,000.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following report:

**IGR** – Your Committee recommends that the City's 1999 Legislative Priorities and Package, as set forth in Petn No 264464 and adopted by Council January 22, 1999, be amended by deleting the "City Personnel" priority.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

**PS&RS** – Your Committee, to whom was referred an ordinance amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to **Liquor and Beer: In General**, to add a new subdivision placing conditions that shall apply to special late hours entertainment license holders under the provisions of Minnesota Statutes, Section 340A.404, Subdivision 2, and who owns a facility for off-street parking in excess of 100 vehicles within 300 feet of the primary entrance to the licensed premises, specifically which will allow the issuance of a Late Night Entertainment license to the Zurah Shrine Temple, 2540 Park Av S to allow for the rental of their facility to groups desiring to dance until 2:00 a.m., now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**ORDINANCE 99-Or-021**

**By Herron**

**Intro & 1st Reading: 12/4/98**

**Ref to: PS&RS**

**2nd Reading: 2/5/99**

**Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 360.75 (c) of the above-entitled ordinance be amended by adding a new Subdivision (7) to read as follows:

**360.75. Special late hours entertainment license.**

(c) The following conditions shall apply to all special late hours entertainment license holders:

(7) An on-sale liquor licensee who has been granted such license under the provisions of Minnesota Statutes, Section 340A.404, Subd. 2 and who owns a facility for off-street parking in excess of one hundred (100) vehicles within three hundred (300) feet of the primary entrance to the licensed premises may be issued a license notwithstanding other limitations contained in this chapter.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends approval of the following City Council reappointments to serve on the Citizens Environmental Advisory Committee for two-year terms expiring December 31, 2000:

a. David Byfield, 1715 Knox Av S, Ward 7 (Demonstrated Environmental Expertise);

b. Walker Smith, 3625 22nd Av S, Ward 9 (Demonstrated Environmental Expertise);

c. Thomas A. Dicks, 2789 Xerxes Av S, Ward 7 (Business Representative);

d. Lonnie Nichols, 1433 E Franklin Av #7B, Ward 6 (Environmental Advocacy);

e. Randy Kouri, 1822 Marshall St NE, Ward 3 (Public Citizen Representative);

f. Lorrie Stromme, 417 N 5th St #320, Ward 1 (Public Citizen Representative).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the application of Gianni Fragali Italia Cucina Inc, dba Gianni Fragali Italia Cucina, 10 S 5th St, for an On-Sale Liquor Class A with Sunday Sales License to expire October 1, 1999, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances,

and that the following conditions be placed upon said license:

a. that the applicant sign an addendum agreement stipulating that no form of adult entertainment will be provided at the establishment;

b. that the applicant shall maintain an adequate accounting and bookkeeping system and will allow City officials to review records, if deemed necessary by the City, for a period of one year.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 5, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published February 9, 1999)

**PS&RS** – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

**Off-Sale Liquor, to expire January 1, 2000**

Surdyk's Liquor Inc, 303 E Hennepin (internal transfer of shares);

Surdyk's Liquor Inc, 303 E Hennepin;

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999**

Seven Corners Hotel Partners Ltd, dba Holiday Inn Metrodome, 1500 Washington Av S;

International Catering Inc, dba Atrium Cafe/ Atrium Catering Int'l, 275 Market St (temporary expansion of premises, January 30, 1999, 5:15 to 8:00 p.m., Winter Market);

**On-Sale Liquor Class B with Sunday Sales, to expire October 1, 1999**

Bravo LLC, dba Bravo, 900 Hennepin Av;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2000**

JD & Associates Inc, dba Vinnie's Restaurant, 1501 S 6th St (change in ownership from Minnesota Bar Inc);

**Temporary On-Sale Liquor**

Society of Eight Inc, dba Magic 8 Ball, 5115 Excelsior Blvd #465, Minneapolis (Theatre De La Jeune, 105 N 1st St, February 6, 1999, 7:00 p.m. to 3:00 a.m.; licensed facilitator Fine Line Music Cafe; with temporary entertainment);

Jungle Theater, dba Jungle Theater, 2951 Lyndale Av S (February 5, 1999, noon to 4:00 p.m.; February 6, 1999, 8:00 p.m. to midnight);

**On-Sale Wine Class E with Strong Beer, to expire April 1, 1999**

Rooftop Inc A Minnesota Corp, dba 700 Express Restaurant, 700 Nicollet Mall;

**Off-Sale Beer to expire April 1, 1999**

Crown Coco Inc, dba Old Colony EZ Stop, 1625 Washington Av N (new proprietor);

**Temporary On-Sale Beer**

Church of the Holy Cross, 1621 University Av NE (February 16, 1999, 4:00 to 9:00 p.m., Kolbe Center, 1630 4th St NE, for annual Sauerkraut Supper).

Biernat moved to divide the report so as to consider separately that portion relating to the On-Sale Liquor Class C-2 with Sunday Sales application of JD & Associates Inc, dba Vinnie's Restaurant, 1501 S 6th St. Seconded.

Adopted by unanimous consent.

Biernat moved that the separated section of the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted by unanimous consent.

Biernat moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of February 5, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264517):

Billboard Erector; Bill Posting & Sign Painting plus Hanger; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Dry Cleaner – Flammable; Dry Cleaner – Nonflammable; Dry Cleaning Pickup Station; Laundry; Dry-Wall Contractor; Confectionery; Grocery; Indoor Food Cart; Food Manufacturer; Restaurant; Food Shelf; Vending Machines; Gasoline Filling Station; Horse & Carriage Livery Services; Lodging House; Lodging with Boarding House; Motor Vehicle Repair Garage; Commercial Parking Lot Class A; Peddler – Special Religious; Plasterer; Plumber; Recycling/Salvage Yard; Secondhand Dealer Class B; Antique Dealer Class B; Sign Hanger; Steam & Hot Water Systems Installer; Tattooing; Taxicab Vehicle; Tobacco Dealers; Tradesman-Combination; Tree Servicing; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

**Gambling-Lawful Class B**

National Multiple Sclerosis Society, dba Minnesota Chapter, 200 12th Av S (site: Margarita Bella Sports Bar, 1032 3rd Av NE);

Southwest Hockey Inc, 4715 Ewing Av S (site: Chatterbox Tavern, 2229 E 35th St);

**Gambling Lawful Exempt**

Hollywood, 400 Groveland Av #1313 (raffle, March 21, 1999, Orpheum Theater, 910 Hennepin Av);

Church of the Holy Cross, 1621 University Av NE (bingo & pulltabs, March 21, 1999, Kolbe Center, 1630 4th St NE);

Pacer Center Inc, 4826 Chicago Av (raffle, May 8, 1999, Minneapolis Convention Center); American Lung Association of Minnesota, 490 Concordia Av, St Paul (raffle, May 2, 1999, Track Star Motor Sports, 2610 E 32nd St).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Motor Vehicle Repair Garage License held by Lonnie Branch, dba LA's Auto Repair, 2648 Cedar Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for failure to complete the site plan by June 1, 1998, and for violations relating to operating the business after 10:00 p.m., parking vehicles in the set back areas along Cedar Av, and for exterior storage of car parts next to the building, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that all car repair operations will be ceased at 2648 Cedar Av S by February 12, 1999, and that any car repair noted at the property after said

date will result in a tag being issued for operating without a motor vehicle repair garage license;

b. Mr. Branch will be allowed to store vehicles in the rear parking area until February 28, 1999; and

c. it is understood that if Mr. Branch decides to reapply for a motor vehicle repair garage license at the property, he may be subject to apply for a new site plan that may result in more stringent requirements.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having conducted Evidentiary Hearings on August 25, October 19 and November 23, 1998 to consider evidence relating to the Hotel License held by Solar Corporation, dba Gopher Campus Motor Lodge, 925 SE 4th St, and having received Findings of Fact, Conclusions and Recommendations arising from said Evidentiary Hearings held thereon, now recommends concurrence with the Hearing Panel's recommendation that the license be revoked, with the revocation being stayed, and that the license be renewed expressly conditioned upon the satisfaction of the following conditions, in accordance with said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the license be suspended for a period of 60 days, effective on or before February 15, 1999. In lieu of said suspension, the licensee may pay an administrative fee totaling \$20,000;

b. the licensee shall properly maintain any and all physical improvements related to security which have been made to the property and shall implement any security recommendations made by Clara Schmit-Gonzalez, the Assistant Director of the Licenses & Consumer Services Division;

c. the licensee shall continue to employ off-duty police no less than five days per week. Said off-duty officers shall be employed for a minimum of four hours on each day that security services are provided;

d. hotel management will continue to require identification of all individuals over the age of 14 either renting or residing in the room. Hotel management will maintain an alphabetized list to be used by the front desk to refuse customers previously involved in nuisance activity from staying at the hotel;

e. the actions outlined in the affidavit of Licensee Larry Hopfenspirger, dated June 10, 1998, will be continued;

f. that no changes in the conditions of the Gopher Hotel License shall be approved without the written consent of staff.

Campbell moved to amend the report by deleting the following sentence in item "a": "In lieu of said suspension, the licensee may pay an administrative fee totaling \$20,000." Seconded.

Lost. Yeas, 6; Nays, 6 as follows:

Yeas – Thurber, Campbell, Goodman, McDonald, Johnson, Cherryhomes.

Nays – Ostrow, Biernat, Niland, Colvin Roy, Herron, Mead.

Declining to Vote – Minn.

The report was adopted.

Yeas, 8; Nays, 4 as follows:

Yeas – Thurber, Ostrow, Biernat, Niland, Colvin Roy, Herron, Mead, Johnson

Nays – Campbell, Goodman, McDonald, Cherryhomes.

Declining to Vote – Minn.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to renew its lease for covert office space for the Police Department Special Investigations Division. Said lease shall be renewed through December 1999 at a rate of \$1,300 per month, payable from Task Force Grant funds.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** – Your Committee recommends that the proper City Officers be authorized to amend Contract #13448 with Hennepin Technical College to include training for two Fire Cadet classes, at a cost of \$72,240 for each class of 30 cadets. Classes over the maximum of 30 cadets will be charged the rate of \$2,408 per student, and based upon need, tutoring will be available at a cost of \$50 per hour, per student.

Your Committee further recommends concurrence with the recommendation of the Permanent Review Committee that said contract be entered into notwithstanding the City's requirement for a Request for Proposals process.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** – Your Committee, having under consideration the new Bell Curve Staffing System for the Fire Department, now recommends that the Full-Time Equivalents for Battalion Chief be increased from fourteen to sixteen, and the number of Suppression Deputy Chiefs be increased from three to four.

Your Committee further recommends that the Fire Chief be authorized to promote two additional Battalion Chiefs and one additional Deputy Chief.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** – Your Committee, having under consideration Drug Abuse Resistance Education (DARE) training in each 5th grade classroom (Petn No 264521), for the period from July 1, 1998 through June 30, 1999, now recommends the following:

**PS&RS** – that the proper City Officers be authorized to execute Amendment #2 to Contract #11113 with Special School District #1 for the City to provide said training service, with the understanding that the School District shall reimburse the City from taxes levied by Hennepin County for DARE and school liaison services payable in 1998, estimated at \$186,625.

**W&M/Budget** – that the matter be sent forward without recommendation, with a direction to staff to clarify the terms of the existing DARE agreement with Special School District #1, as it relates to reimbursement to the City regarding taxes levied by Hennepin County for DARE and school liaison services, payable in 1998.

Biernat moved that the report be referred back to the Ways & Means/Budget Committee. Seconded.

Adopted by unanimous consent.

**PS&RS & W&M/Budget** – Your Committee, having received a grant award of \$748,145 from the federal COPS Methamphetamine Initiative whereby the Police Department will collaborate with local, county, state and federal public and private agencies to develop and implement new strategies to deal with the methamphetamine threat in the region, now recommends that the proper City Officers be authorized to execute contracts with the following partner agencies to implement said initiative:

a. Hennepin County Attorney's Office, in an amount not to exceed \$148,250, to hire an attorney to prosecute methamphetamine cases;

b. Hennepin County Sheriff's Office, in an amount not to exceed \$47,250, plus travel and overtime, for grant authorized equipment, overtime and travel expenses;

c. Ramsey County Sheriff, in an amount not to exceed \$48,000, plus travel and overtime, for grant authorized equipment, overtime and travel expenses;

d. City of St Paul Police Department, in an amount not to exceed \$3,000, plus travel and overtime, for grant authorized equipment, overtime and travel expenses;

e. Minnesota State Patrol, in an amount not to exceed \$32,000, for the purchase of four methamphetamine detecting canines;

f. Minnesota Pollution Control Agency, in an amount not to exceed \$75,000, for cleanup expenses for clandestine methamphetamine lab sites.

(Petn No 264521)

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** – Your Committee, to whom was referred an ordinance amending Title 17, Chapter 447 of the Minneapolis Code of Ordinances relating to **Streets & Sidewalks: Parades/Races**, amending Section 447.40 clarifying the application process and requiring that applications be submitted 60 days or more before an event, and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that said ordinance be summarized for publication.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-022 amending Title 17, Chapter 447 of the Minneapolis Code of Ordinances relating to *Streets & Sidewalks: Parades/Races*, amending Section 447.40 to clarify the application process and require that applications be submitted 60 days or more before an event, was February 5, 1999 by the City Council and approved February 11, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

#### **ORDINANCE 99-Or-022**

**By Mead**

**Intro & 1<sup>st</sup> Reading: 12/4/98**

**Ref to: T&PW**

**2<sup>nd</sup> Reading: 2/5/99**

#### **Amending Title 17, Chapter 447 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Parades/Races.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 447.40 of the above-entitled ordinance be amended to read as follows:

**447.40. Application for permit.** (a) A person seeking issuance of a parade/race permit shall file an application with the office of mayor on forms provided by such officer office. ~~Such application shall be filed with the office of mayor on forms provided by such officer.~~ Such application shall be filed with the office of mayor not less than sixty (60) calendar days before the date on which it is proposed to conduct the parade/race.

(b) The application for a parade/race permit shall set forth the following information:

- (1) If the parade/race is proposed to be conducted for, on behalf of, or by an organization, the name,



- address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.
- (2) The name, address and telephone numbers, daytime and nighttime, of the person who will be the parade/race coordinator and who will be responsible for its conduct.
  - (3) The date when the parade/race is to be conducted.
  - (4) The details of proposed route requested, the starting point and the termination point.
  - (5) The approximate number of persons who, and animals and vehicles which will constitute such parade/race; the type of animals, and description of the vehicles.
  - (6) The hours when such desired parade/race will assemble, start and terminate.
  - (7) A statement as to whether the parade/race would occupy all or only a portion of the width of the streets proposed to be traversed.
  - (8) The desired location by streets of any assembly areas for such parade/race.
  - (9) The time at which units of the parade/race will begin to assemble at any such assembly area or areas.
  - (10) The maximum interval of space to be maintained between units of such parade/race.
  - (11) If the parade/race is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the office of mayor a communication in writing from the person proposing to hold the parade/race, authorizing the applicant to apply for the permit on his/her behalf of the person proposing to hold the parade/race.
  - (12) Whether any alcoholic or beer beverages will be consumed in conjunction with the parade/race at the staging area prior to the parade/race or at the terminus of the parade/race; and if any alcoholic or beer beverages will be

served, that all necessary permits have been obtained from the appropriate authorities.

- (13) ~~If the parade/race is an annual event, the~~ estimated number of participants in the most previous year.

- (14) Notice of who will provide traffic control and police supervision.

- (15) Such other information as the mayor shall find necessary to the enforcement of this chapter.

(c) The mayor shall not consider any application which is filed less than sixty (60) days before the date such parade/race is proposed, ~~provided that it is filed at least four (4) working days before said date. In considering applications filed less than sixty (60) days before the event, the mayor must be assured that sufficient traffic control is arranged and that no grounds for denial as listed in section 447.60 exist.~~

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends that the proper City officers be authorized to proceed with acquisition of the following easements relating to the First St S Bridge Reconstruction Project and payment of the amounts indicated from the appropriation for the First St S Bridge Project, included in the 1999 Five-Year Capital Program (98R-469):

1. Mill Place, Inc. (332½ 2nd St S., 307 & 313 1st St S., 101 3rd Av S.): Temporary Access and Temporary Construction Storage Easements, \$17,600.00 for 7,033 square feet of land at \$2.50 per square foot (rounded up);

2. Minneapolis Community Development Agency (300 & 428 2nd St S.): Temporary Access Easement, \$6,341.00 for 6,341 square feet at \$1.00 per square foot;

3. RiverWest Associates Ltd Ptns. (333 1st St S.): Temporary Access Easement, \$956.00 for 956 square feet at \$1.00 per square foot.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends that the proper City officers be authorized to enter into a non-disclosure agreement with Norwest Bank relating to the City's participation in a six-month test of Smart Card technology at the Gateway Municipal Parking Ramp.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the results of a Request for Proposals process for the operation of the City's solid waste transfer stations, now recommends that the proper City officers be directed to continue negotiations with Waste Management of Minnesota, Inc. on a contract to operate the North and South Transfer Stations, including the transfer aspects of the City's voucher program. Said contract would be for a five-year period and would include conditions that provide benefits to the City's customers and the neighborhoods adjoining the facilities.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **Transportation & Public Works** Committee had under consideration a report relating to light rail transit (LRT) and the structure of three task forces and an information group which would be established to assist in planning and implementation of LRT in downtown Minneapolis. (Petr No 264524)

Mead moved that the report be postponed. Seconded.

Adopted upon a voice vote.

**T&PW** – Your Committee, having under consideration appointment of a City representative to the Low Frequency Noise Policy Committee that is being established by the Metropolitan Airports Commission, now recommends that the subject matter be forwarded without recommendation.

Mead moved to amend the report so as to concur with the Mayor's recommendation to appoint Council Member Sandra Colvin Roy as the City's representative on the Low Frequency Noise Policy Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**T&PW & W&M/Budget** – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 264528):

a) OP #5042, low bid submitted by Layne Minnesota Company in the amount of \$120,220 for furnishing and delivering all personnel, supplies, equipment and incidentals necessary to construct lined drill-shaft holes for the Public Works Sewer Construction Division; and

b) #5047, all bids, as indicated below, received for a total estimated expenditure of \$200,000, for furnishing rubber tired skid steer loaders with operators and supplied to the Public Works Equipment Division as required during the 1999 Construction Season:

Robert Innes – per hour – \$22.25;

Hugstad-Vaa Contracting – per hour – \$23.00;

Scott Innes – per hour – \$23.10;

Duane Boese – per hour – \$25.00;

V & T Trucking – per hour – \$28.00;

Dennis Thoreson – per hour – \$29.90;

Ron L. Gunderson – per hour – \$31.75;

S & N Landscaping – per hour – \$41.00;

L & J Construction – per hour – \$44.95;

Hicks Excavating – per hour – \$45.00;

STL Trucking – per hour – \$47.00;

Jacobs Trucking – per hour – \$50.00;

Templin Trucking – per hour – \$55.00.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration installation of a new traffic signal and signal modifications related to

construction of the Calhoun Commons Project on Excelsior Boulevard between W Lake St and Abbott Av S, now recommends passage of the accompanying resolution appropriating \$133,708 to the PW – Transportation Capital Agency to provide funds for said signals, to be fully reimbursed by the Calhoun Commons Project developer.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-027**

**By Mead and Campbell**

**Amending The 1999 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$133,708 and increasing the revenue source (4100-943-9440 – Source 3845) by \$133,708 for signal installation and modification on Excelsior Boulevard (Calhoun Commons Project) to be reimbursed by the developer.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration traffic signal modifications related to construction of the Sixth and Nicollet L.L.C. Project, now recommends passage of the accompanying resolution appropriating \$82,000 to the PW – Transportation Capital Agency to provide funds for the signal modifications, to be fully reimbursed by the project developer.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-028**

**By Mead and Campbell**

**Amending The 1999 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$82,000 and increasing the revenue source (4100-943-9440 – Source 3845) by \$82,000 for signal modification on 6th St (Sixth and Nicollet L.L.C. Project) to be reimbursed by the developer.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes, President of Council.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals seeking consulting services to perform an operational/functional review of the Municipal Parking systems.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 5, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published February 9, 1999)

**T&PW & W&M/Budget** – Your Committee, having under consideration the receipt of proposals for testing and inspection services for the new Currie Maintenance Facility, now recommends that the proposal of GME Consultants, Inc. be accepted and that the proper City officers be authorized to execute a contract with said company in an amount not to exceed \$40,000, payable from the PW – General Services Capital Agency (4100-943-9247).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute an amendment to City Contract #12209 with Camp, Dresser & McKee, Inc. (CDM) for engineering services for the design and construction inspection of the Water Works Pump Station No. 9 project. Said contract shall be increased from \$104,856, to a new amount not to exceed \$183,148 to provide for additional engineering services.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration the Minneapolis Water Works Treatment Process Feasibility Study and the recommendation of the City Engineer that a value engineering/peer review be conducted and having received the results of a Request for Proposals for said services, now recommends that the proper City officers be authorized to enter into a professional services contract with Lewis and Zimmerman Associates, Inc. for a fee not to exceed \$224,054, payable from the Water Revenue Fund (740-690).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 5, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published February 9, 1999)

**VETOED BY THE MAYOR.**

**T&PW & W&M/Budget** – Your Committee, having under consideration a report outlining options for City participation in a regional radio system (Petn No 264438), now recommends:

That the City commit to co-ownership of the regional radio system and:

1) Authorize the City Engineer, City Coordinator and City Attorney to execute a contract with Motorola Corporation to purchase City components of the regional radio system as negotiated and to include language and caveats similar to those of Hennepin County which would protect the City's options for competitive bidding and escape, in time for the Year 2000 budget;

2) Direct the City Engineer, City Coordinator, Police Chief and Fire Chief to provide options on reducing the radios needed in the new citywide system and report on said options in time for the Year 2000 budget;

3) That the Finance Officer be directed to develop a work-out plan for City participation in Phase One by mid-1999 proposing a variety of funding options including Strategic Information System Project (SISP) funding;

4) That Intergovernmental Relations staff be directed to support legislation that would increase state or regional financing and assistance to local governments.

**W&M/Budget** – Your Committee further recommends that the following language be added to paragraph 3:

"and that the City's capital commitment be incorporated into the capital plan for the next three years."

Campbell moved to amend the report by deleting from paragraph 3, "mid-1999" and inserting in lieu thereof, "the second City Council cycle in March". Seconded.

Adopted upon a voice vote.

The report, as amended, including the additional recommendation of the Ways & Means/Budget Committee, was adopted. Seconded.

Yeas, 7; Nays, 6 as follows:

Yeas – Campbell, Goodman, Colvin Roy, Minn, McDonald, Johnson, Cherryhomes.

Nays – Thurber, Ostrow, Biernat, Niland, Herron, Mead.

Passed February 5, 1999.

Vetoed February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(See Unfinished Business next meeting.)

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to submit an application to the United States Department of Housing and Urban Development, on behalf of the Near Northside Redevelopment Project, for Section 108 Loan Guarantee Funds, in the amount of \$3,900,000.

Campbell moved that the report be deleted. Seconded.

Adopted upon a voice vote.

**W&M/Budget** – Your Committee recommends that the lawsuits filed against the City by the following individuals be settled and be payable as follows:

a) Alan Keacher and his attorney, William Swanson, in the amount of \$30,000, payable from 6900-1500-4000; and

b) Susan Torosian and her attorney, Robert Healy, in the amount of \$1,500, payable from 6900-150-1500-6070.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends approval to reimburse Council Member Minn for legal fees arising out of his position as an elected official of the City of Minneapolis, in the amount of \$1,732.50, payable from 6900-150-1500-2400.

Minn rose to a point of personal privilege to recuse himself from discussion of the report.

The Chair accepted Minn's right of personal privilege.

Campbell moved that the report be adopted. Seconded.

Ostrow moved a substitute motion to reimburse Council Member Minn for legal fees, in the amount of \$1,375. Seconded.

Ostrow's motion lost upon a voice vote.

The report was adopted.

Yeas, 7; Nays none.

Declining to Vote – Ostrow, Biernat, Niland, Mead.

Absent – Colvin Roy, Minn.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends acceptance of the low bid meeting specifications received on OP #5038 (Petr No 264538), submitted by NCR Corporation, in the amount of \$88,586, for furnishing and delivering the following equipment to the Minneapolis Emergency Communications Division, all in accordance with City specifications:

1 – NCR 6282 Disk Array, in the amount of \$12,701; and

2 – NCR S26 Computers, including installation, warranty, documentation and peripherals, in the amount of \$75,885.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute a contract with the Minneapolis Public Schools, Special School District #1, for the City to provide personnel services in 1999, which will generate approximately \$200,000.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the starting salary rate for the City's new Director of Elections, Susanne Griffin, now recommends approval to set the starting salary rate at the third step, effective March 1, 1999, with a progression to the fourth step on March 1, 2000.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the commitment of the Youth Coordinating Board (YCB) to contribute (through the Minneapolis Redesign initiative) \$500,000 in capital funding to the new Minneapolis South YWCA Project, now recommends approval of the necessary budget adjustments to enable the YCB to honor their commitment.

Your Committee further recommends that the proper City officers be authorized to amend the necessary contracts to reflect the required budget adjustments.

Your Committee further recommends passage of the following resolutions providing for said budget adjustments:

a) Amending the 1999 General Appropriation Resolution, decreasing the Health Department Agency Appropriation by \$500,000 and providing for transfer to the Minneapolis Community Development Agency (MCDA); and

b) Amending the 1999 MCDA Appropriation Resolution, increasing the Appropriation in Fund FBG (Community Development Block Grant) by \$500,000.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.  
Approved February 11, 1999. S. Sayles  
Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-029**  
**By Campbell**

**Amending The 1999 General Appropriation  
Resolution.**

Resolved by The City Council of The City of  
Minneapolis:

That the above-entitled resolution, as  
amended, be further amended by:

a) Decreasing the appropriation for the Health  
Department Agency in the CDBG/UDAG Fund  
(0400-440-4413) by \$500,000; and

b) Increasing the appropriation for the  
Interfund Transfer Agency in the CDBG/UDAG  
Fund (0400-127-1270) by \$500,000, for transfer  
to Minneapolis Community Development Agency  
(MCDA) Fund FBG (CDBG – 2232).

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes,  
President of Council.

Approved February 11, 1999. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-030**  
**By Campbell**

**Amending the 1999 Minneapolis  
Community Development Agency (MCDA)  
Appropriation Resolution.**

Resolved by The City Council of The City of  
Minneapolis:

That the above-entitled resolution, as  
amended, be further amended by increasing the  
appropriation in Fund FBG (CDBG) by \$500,000.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999. J. Cherryhomes,  
President of Council.

Approved February 11, 1999. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee  
submitted the following reports:

**Z&P** – Your Committee, having under  
consideration the application of Nathan Barker

for a waiver from Interim Ordinance 98-Or-083,  
providing for a moratorium on the establishment  
or expansion of automobile related uses in the B3  
or B-2-S zoning districts, passed August 14,  
1998, to permit a hand car wash at 3107 Lyndale  
Av N, and having conducted a public hearing  
thereon, now recommends that the findings  
prepared by the Planning Department staff and  
set forth in Petn No 264542 be adopted and that  
said waiver be granted upon the following  
conditions:

1. Water from the car wash shall not drain  
across any sidewalk or into a public right-of-way.

2. Vacuum facilities shall be located in an  
enclosed structure or located away from any  
residential use to avoid the impacts of noise.

3. All indoor and outdoor activities shall be  
subject to the regulations governing hours open  
to the public, as specified in the zoning district in  
which the car wash is located.

4. The premises, all adjacent streets,  
sidewalks and alleys, and all sidewalks and alleys  
within 100 feet shall be inspected regularly for  
purposes of removing any litter found thereon.

5. The site and the streets adjacent to the site  
shall not be used for automobile repair.

6. At least one employee shall be present  
during all hours of operation and the proposed  
hand car wash shall not be converted to a fully  
automated car wash.

7. The applicant applies for and receives  
approval of Site Plan Review before opening for  
business.

Biernat moved that the above report be  
referred back to the Zoning & Planning Committee.  
Seconded.

Adopted upon a voice vote.

**Z&P** – Your Committee, having under  
consideration the appeal of Patrick Hagner from  
the decision of the Board of Adjustment denying  
a variance for an increase in the maximum garage  
height from 12 ft to midpoint of roof to 15.5 ft to  
midpoint of roof at 4933 32nd Av S (V-4366), and  
having conducted a public hearing thereon, now  
recommends that said variance be granted, based  
on Ordinance 99-Or-018, passed January 22,  
1999, relating to variance of accessory building  
height. (Petn No 264541)

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee, having under consideration the application of Marchant Investment and Management Company, Inc, for a waiver from Interim Ordinance 98-Or-151, providing for a moratorium on the establishment or expansion of any use or development in the M1, M2 or M3 zoning districts located within 300 feet of the Mississippi River between Broadway and 37th Av NE on the east side of the river and between Broadway and 53rd Av N on the west side of the river, passed December 4, 1998, to permit establishment of an industrial use at 1428 Marshall St NE, and having conducted a public hearing thereon, now recommends that the findings prepared by the Planning Department staff and set forth in Petn No 264543 be adopted and that said waiver be denied, in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

McDonald moved that the above report be amended by inserting the following language before the period at the end thereof:

“; and further, that Marchant's appeal from the decision of the Planning Commission denying application for a conditional use permit for expansion of a cartage and express company at 1428 Marshall St NE (C-1916) be denied, and that the related findings prepared by the Planning Department staff and set forth in Petn No 264539 be adopted”. Seconded.

Adopted upon a voice vote.

Minn moved a substitute motion to grant the waiver. Seconded.

Minn's substitute motion lost upon the following roll call vote.

Yeas, 4; Nays, 8 as follows:

Yeas – Campbell, Goodman, Minn, McDonald.

Nays – Thurber, Ostrow, Biernat, Niland, Herron, Mead, Johnson, Cherryhomes.

Absent – Colvin Roy.

The report, as amended by the McDonald motion, was adopted.

Yeas, 10; Nays, 1, as follows:

Yeas – Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Herron, Mead, Johnson, Cherryhomes.

Nays – Minn.

Declining to Vote – McDonald.

Absent – Colvin Roy.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee, having under consideration the environmental review process for the American Express Client Service Center Project in the block bounded by 9th and 10th Sts S and 3rd and 4th Avs S, now recommends that development of an Environmental Impact Statement not be ordered, therefore making a negative declaration, and that the Findings of Fact and Record of Decision set forth in Petn No 264542 be adopted.

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 5, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published February 9, 1999)

**Z&P** – Your Committee, having under consideration the intent of Nina Chenault and Mike Manzavarkos (on behalf of the Academy for Physical & Psychological Advancement and the West Bank Karate School) to make application to rezone property at 2209-2215 E Franklin Av, now recommends that the City, as an owner of certain parcels within 100 feet of said location, consent to the commencement of the rezoning process for 2209-2215 E Franklin Av, and any appropriate City official can give evidence of this consent. (Petn No 264540)

Adopted. Yeas, 13; Nays none.

Passed February 5, 1999.

Approved February 11, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

## MOTIONS

Minn moved to introduce the subject matter of a proposed ordinance amending the Minneapolis Code of Ordinances, Chapter 20, Article II, to provide pension reform and employee retention in the sworn service of the Minneapolis Police Department, which was given its first reading and referred to the Intergovernmental Relations and Ways & Means/Budget Committees. Seconded.

Adopted upon a voice vote.

**UNFINISHED BUSINESS**

Rental Dwelling License at 1035 17th Av SE:  
Concur with recommendation of Rental Dwelling  
License Board of Appeals to revoke license held  
by Erik Johnson. (Postponed 10/16/98, PS&RS)  
Biernat moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

Septan Inc, 3948 Nicollet Av: Deny appeal  
for nonconforming use certificate to allow gas  
station and repair garage, grant appeal for  
variance. (Postponed 10/30/98, Z&P)

McDonald moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

Special School District #1: Passage of  
Resolution vacating alley in block; Authorize  
summary publication. (Postponed 11/13/98, Z&P)

McDonald moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

Commercial Corridors: Approve selection of  
Central Ave & Franklin Ave for application of a  
concentrated revitalization program in 1999.  
(Postponed 12/18/98, CD)

Niland moved to delete from the agenda.  
Seconded.

Adopted upon a voice vote.

Shelter Care Foundation: Passage of  
Resolution granting final approval to issue bonds  
to finance acquisition of nursing facility at 3720-  
23rd Ave S; Authorize summary publication.  
(Postponed 1/22/99; CD)

Niland moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

Cherryhomes moved that when this Council  
adjourns it adjourns to Thursday, February 11,  
1999, at 5:00 p.m. for the Mayor's State of the City  
Address to be held at the Central Library  
Auditorium (Heritage Hall), and that such meeting  
be and is hereby declared to be an adjourned  
session of the regular meeting of February 5,  
1999. Seconded.

Adopted. Yeas, 13; Nays none.

Adjourned.

MERRY KEEFE,  
City Clerk.  
99-1024